

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

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) 03 MDL 1570 (GBD)
) ECF Case
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This document relates to:

World Trade Center Properties LLC v. Al Baraka Investment & Devel. Corp., 04-cv-07280

DUBAI ISLAMIC BANK'S ANSWER TO PLAINTIFFS' COMPLAINT¹

INTRODUCTION

1. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
2. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
3. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
4. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
5. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
6. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

¹ Note that each numbered paragraph in this answer corresponds with and responds to the paragraph in the World Trade Center Properties LLC v. Al Baraka Investment & Devel. Corp. Complaint bearing the same number.

7. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
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36. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

- 37. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 38. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 39. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 40. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

JURISDICTION AND VENUE

- 41. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
- 42. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
- 43. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.

PARTIES

PLAINTIFFS

- 44. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 45. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 46. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 47. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 48. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 49. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

- 50. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 51. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

FACTUAL ALLEGATIONS AGAINST DEFENDANTS

BACKGROUND

- 52. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
- 53. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 54. DIB admits only that on September 11, 2001, a commercial airliner crashed into the North Tower, or Tower One, of the World Trade Center in New York. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
- 55. DIB admits only that on September 11, 2001, a commercial airliner crashed into the South Tower, or Tower Two, of the World Trade Center in New York. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
- 56. DIB admits only that on September 11, 2001, a commercial airliner crashed into the Pentagon in Arlington, Virginia. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
- 57. DIB admits only that on September 11, 2001, a commercial airliner crashed in Shanksville, Pennsylvania. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 58. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 59. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 60. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

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THE BANKING DEFENDANTS

**THE ISLAMIC BANKING SYSTEM AND ITS ROLE IN
INTERNATIONAL TERRORISM**

88. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
89. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

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AL BARAKA INVESTMENT AND DEVELOPMENT CORPORATION

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AL SHAMAL ISLAMIC BANK

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AL-RAJHI BANKING AND INVESTMENT CORPORATION

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NATIONAL COMMERCIAL BANK

- 225. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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DAR AL MAAL AL ISLAMI

234. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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FAISAL ISLAMIC BANK – SUDAN

237. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
238. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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AL BARAKAAT EXCHANGE LLC

240. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
241. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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TADAMON ISLAMIC BANK

244. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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DUBAI ISLAMIC BANK

248. DIB admits that it is headquartered in the United Arab Emirates (or “UAE”) and was created in 1975. To the extent that the remaining allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
249. DIB admits only that it was the victim of a fraud involving Foutanga (Babani) Sissoko. DIB denies the remaining allegations.
250. DIB denies that it has engaged in a pattern of conduct that demonstrates aiding, abetting and material sponsorship of international terrorism. DIB is without knowledge or information sufficient to form a belief about the truth of the allegations related to 1999 announcements by the United States government or State Department statements and admissions, and therefore the remaining allegations in this paragraph are denied.
251. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore these allegations are denied.
252. To the extent that these allegations purport to characterize the contents of a document; that document speaks for itself and therefore no response is required. To the extent these

allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.

253. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
254. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
255. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
256. To the extent that this paragraph alleges that Mustafa Ahmed al-Hisawi held accounts at Dubai Islamic Bank, the allegations are denied. DIB is without knowledge or information sufficient to form a belief about the truth of the remainder of these allegations, and therefore these allegations are denied.
257. To the extent that this paragraph alleges that Mustafa Ahmed al-Hisawi held accounts at Dubai Islamic Bank, the allegations are denied. DIB is without knowledge or information sufficient to form a belief about the truth of the remainder of these allegations, and therefore these allegations are denied.
258. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
259. DIB denies that on September 27, 2001, the Central Bank of the United Arab Emirates announced that it had ordered the freezing of DIB's accounts and investments. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore the allegations are denied.
260. These allegations purport to characterize the contents of a document; that document speaks for itself and therefore no response is required. To the extent these allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.

BANK AL-TAQWA LIMITED

261. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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ARAB BANK, PLC

275. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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SAUDI AMERICAN BANK

277. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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THE CHARITY DEFENDANTS

THE CHARITY FRONTS OF TERROR

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AL-HARAMAIN ISLAMIC FOUNDATION, INC.

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BENEVOLENCE INTERNATIONAL FOUNDATION INC.

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WORLD ASSEMBLY OF MUSLIM YOUTH

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INTERNATIONAL ISLAMIC RELIEF ORGANIZATION

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THE MUSLIM WORLD LEAGUE

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THE SAAR FOUNDATION

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RABITA TRUST

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THE GLOBAL RELIEF FOUNDATION

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TAIBAH INTERNATIONAL AID ASSOCIATION

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ISLAMIC ASSEMBLY OF NORTH AMERICA

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SAUDI BINLADIN GROUP

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YASSIN ABDULLAH AL-KADI AND MUWAFFAQ

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CERTAIN MEMBERS OF THE SAUDI ROYAL FAMILY, AND RELATED PERSONS

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THE REPUBLIC OF SUDAN

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THE SAUDI – SPANISH – GERMAN AL QAEDA SCHEME

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ABU QATADA AL-FILISTINI

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MOHAMMED HUSSEIN AL-AMOUDI

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YASSIR AL-SIRRI

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SULAIMAN AL-ALI

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YOUSSEF JAMEEL

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**THE ADVICE AND REFORMATION COMMITTEE (ARC) AND THE COMMITTEE
FOR THE DEFENSE OF LEGITIMATE RIGHTS (CDLR)**

1011. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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**ISLAMIC CULTURAL CENTER OF MILAN/ISLAMIC CULTURAL
CENTER OF GENEVA**

1036. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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MERCY INTERNATIONAL RELIEF AGENCY

1063. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
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LAUNDERING OF AL QAEDA FUNDS THROUGH DIAMOND BUSINESSES

1074. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

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1080. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

THE AL QAEDA ENTERPRISE

1081. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1082. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1083. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1084. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

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1096. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1097. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1098. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1099. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

- 1100. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1101. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1102. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1103. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1104. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1105. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1106. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1107. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1108. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1109. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1110. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1111. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1112. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1113. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1114. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

1115. This paragraph contains no allegations and thus no response is required. To the extent that a response is required, the allegations are denied.
1116. DIB admits only that it is headquartered in the U.A.E. DIB is without knowledge or information sufficient to form a belief about the truth of the allegations that BCCI was named in a 1992 United States Senate Report as a money laundering operation used to sponsor terrorism, and therefore they are denied. To the extent the remaining allegations purport to characterize the contents of a document, that document speaks for itself and therefore no response is required. To the extent these allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.
1117. DIB admits only that it is a legitimate banking and financial institution. DIB denies the remaining allegations.
1118. DIB denies that it has knowingly and intentionally provided financial and bank account services to several Al Qaeda operatives. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
1119. DIB denies that the Central Bank of U.A.E. froze DIB's accounts and investments. To the extent that the remaining allegations purport to characterize the contents of documents; those documents speak for themselves and therefore no response is required. To the extent these allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.
1120. DIB denies these allegations.

ADDITIONAL DEFENDANTS

1121. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1122. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
1123. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
1124. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

COUNT ONE

VIOLATION OF THE ANTI-TERRORISM ACT

18 U.S.C. §§ 2331, 2333, ET SEQ.

1125. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
1126. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
1127. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
1128. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
1129. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
1130. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
1131. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

COUNT TWO

**VIOLATION OF THE RACKETEERING INFLUENCED
AND CORRUPT ORGANIZATIONS ACT ("RICO")**

18 U.S.C. § 1962(A)

1132. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(a) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

1133. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(a) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1134. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(a) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

COUNT THREE

**VIOLATION OF THE RACKETEERING INFLUENCED
AND CORRUPT ORGANIZATIONS ACT ("RICO")**

18 U.S.C. § 1962(C)

1135. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1136. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1137. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the

truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

1138. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1139. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1140. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1141. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1142. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(c) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

COUNT FOUR

**VIOLATION OF RACKETEER INFLUENCED
AND CORRUPT ORGANIZATIONS ACT ("RICO")**

18 U.S.C. § 1962(D)

1143. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1144. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1145. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1146. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1147. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the

truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

1148. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1149. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1150. No response is required from DIB to the allegations in this paragraph because the 18 U.S.C. § 1962(d) cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

COUNT FIVE

TRESPASS

1151. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
1152. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

- 1153. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
- 1154. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
- 1155. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
- 1156. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
- 1157. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.

COUNT SIX

INTENTIONAL AND/OR WILLFUL DESTRUCTION OF PROPERTY

- 1158. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
- 1159. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
- 1160. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
- 1161. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
- 1162. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

COUNT SEVEN

CONSPIRACY

1163. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1164. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1165. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1166. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1167. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

COUNT EIGHT

AIDING AND ABETTING

1168. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1169. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1170. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1171. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1172. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

1173. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

COUNT NINE

VIOLATION OF INTERNATIONAL LAW

1174. No response is required from DIB to the allegations in this paragraph because the Violation of International Law cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1175. No response is required from DIB to the allegations in this paragraph because the Violation of International Law cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1176. No response is required from DIB to the allegations in this paragraph because the Violation of International Law cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1177. No response is required from DIB to the allegations in this paragraph because the Violation of International Law cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

1178. No response is required from DIB to the allegations in this paragraph because the Violation of International Law cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1179. No response is required from DIB to the allegations in this paragraph because the Violation of International Law cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

PUNITIVE DAMAGES

1180. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
1181. No response is required from DIB to the allegations in this paragraph because the Punitive Damages cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1182. No response is required from DIB to the allegations in this paragraph because the Punitive Damages cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
1183. No response is required from DIB to the allegations in this paragraph because the Punitive Damages cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the

truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

DEMANDS

1184. DIB denies that, as to Count One, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1185. DIB denies that, as to Count Two, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1186. DIB denies that, as to Count Three, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1187. DIB denies that, as to Count Four, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1188. DIB denies that, as to Count Five, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1189. DIB denies that, as to Count Six, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1190. DIB denies that, as to Count Seven, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.
1191. DIB denies that, as to Count Eight, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

1192. DIB denies that, as to Count Nine, Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

JURY DEMAND

Plaintiffs' statement with respect to a jury trial contains no allegations to which a response is required.

Each and every averment in Plaintiff's Complaint that has not been specifically admitted is hereby denied.

AFFIRMATIVE DEFENSES

First Affirmative Defense

1. Plaintiffs fail to state a claim for which relief can be granted.

Second Affirmative Defense

2. This Court does not have personal jurisdiction over Plaintiffs' claims against DIB.

Third Affirmative Defense

3. This Court does not have subject matter jurisdiction over Plaintiffs' claims against DIB.

Fourth Affirmative Defense

4. There is no causal connection between any of DIB's activities and Plaintiffs' asserted injuries.

Fifth Affirmative Defense

5. No act or omission of any agent, servant, or employee of DIB proximately caused any harm or damages to Plaintiffs.

Sixth Affirmative Defense

6. Plaintiffs fail to adequately allege scienter.

Seventh Affirmative Defense

7. Plaintiffs' damages and injuries were caused by other individuals or entities who are, or are not, named as parties to this action.

Eighth Affirmative Defense

8. DIB is not liable for Plaintiffs' damages based on the doctrines of several liability and/or combined or comparative fault, see, e.g., N.Y. C.P.L.R. § 1601 et seq.

Ninth Affirmative Defense

9. This Court is not the proper venue for Plaintiffs' claims against DIB.

Tenth Affirmative Defense

10. Plaintiffs have waived their claims based on the doctrine disallowing double-recovery.

Eleventh Affirmative Defense

11. Plaintiffs have waived their claims based on the collateral source doctrine.

Twelfth Affirmative Defense

12. Plaintiffs have waived their claims based on the doctrine of subrogation.

Thirteenth Affirmative Defense

13. Plaintiffs' claims are barred to the extent that they failed to mitigate damages.

Fourteenth Affirmative Defense

14. Plaintiffs have waived their claims against DIB.

Fifteenth Affirmative Defense

15. Plaintiffs' claims have been waived to the extent that certain Plaintiffs are seeking recovery against DIB for the same or similar claims in other civil actions comprising the multi-district entitled *In re Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (RCC), pending in the United States District Court for the Southern District of New York.

Sixteenth Affirmative Defense

16. Plaintiffs' state-law claims are pre-empted by federal law.

Seventeenth Affirmative Defense

17. Plaintiffs' claims are barred by the Act of State doctrine.

Eighteenth Affirmative Defense

18. Plaintiffs' claims are barred based on principles of International Comity.

Nineteenth Affirmative Defense

19. Plaintiffs' claims are barred based on Sovereign Immunity.

Twentieth Affirmative Defense

20. Plaintiffs' claims are barred by Political Question doctrine.

Twenty-first Affirmative Defense

21. Plaintiffs' claims are barred based on principles of Immunity.

Twenty-second Affirmative Defense

22. Plaintiffs' claims are barred by the doctrine of laches.

Twenty-third Affirmative Defense

23. Plaintiffs' claims have been discharged in bankruptcy.

Twenty-fourth Affirmative Defense

24. Plaintiffs' claims are barred by the doctrine of election of remedies.

Twenty-fifth Affirmative Defense

25. Plaintiffs have released their claims against DIB.

Twenty-sixth Affirmative Defense

26. Plaintiffs have discharged their claims against DIB.

Twenty-seventh Affirmative Defense

27. Plaintiffs' claims are barred by the doctrine of compromise and settlement.

Twenty-eighth Affirmative Defense

28. Plaintiffs are precluded from asserting their claims by the doctrine of res judicata.

Twenty-ninth Affirmative Defense

29. Plaintiffs are precluded from asserting their claims by the doctrine of collateral estoppel.

Thirtieth Affirmative Defense

30. Plaintiffs lack standing to pursue their claims against DIB.

Thirty-first Affirmative Defense

31. Plaintiffs' claims are barred by the statute of limitations.

Thirty-second Affirmative Defense

32. Plaintiffs are estopped from receiving the relief requested against DIB.

Thirty-third Affirmative Defense

33. Plaintiffs' claims are invalid in light of workers' compensation laws, regulations, rules, and case law.

Thirty-fourth Affirmative Defense

34. Plaintiffs' claims are barred to the extent that they violate DIB's right to Due Process.

Thirty-fifth Affirmative Defense

35. Plaintiffs' claims for punitive damages against DIB are invalid because DIB's activities, as alleged by Plaintiffs, were not committed with intent, malice, willful and outrageous conduct aggravated by evil motive, or reckless indifference, and none of DIB's activities in any way were intended to, or did harm, the Plaintiffs in this action.

Thirty-sixth Affirmative Defense

36. In response to Plaintiffs' claims, DIB intends to invoke all other defenses, including affirmative defenses, that become apparent in the future (including through discovery), and reserve the right, in accordance with the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court for the Southern District of New York, to assert such defenses at a later point in time.

DATED: September 7, 2010

Respectfully submitted,

/s/ Robert G. Houck

Robert G. Houck

Juan P. Morillo (admitted *pro hac vice*)

Steven T. Cottreau (admitted *pro hac vice*)

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